



New York State Association of REALTORS®, Inc.

Professional Standards Committee Virtual Meeting Report

Thursday, September 17, 2020
Virtual Zoom Meeting
1pm-2:30pm

Andi Turco Levin
Chair

Andy Burke
Vice Chair

Call to order, welcome and introductions

Staff addressed the purpose of the Professional Standards Committee

Vice Chair updated the committee on the Ombudsman Training Session, ethics hearings for 2020 – one ethics matter currently in process and others have been dismissed or closed.

Professional Standards Administrator training meeting the National Association of REALTORS learning objective took place virtually as part of the Association Executives professional development seminar in July. Over 20 AE's and local board legal counsels participated in the program. – All of those who took the exam passed.

Anthony Gatto, ESQ., addressed two NAR Code of Ethics Standards of Practice dealing with disclosure questions. He reminded the committee members that he had previously provided information on Code of Ethics Standard of Practice 1-15 and Standard of Practice 3-6

“REALTORS, in response to inquiries from buyers or cooperating brokers shall, with the sellers’ approval, disclose the existence of offers on the property. Where disclosure is authorized, REALTORS® shall also disclose, if asked, whether offers were obtained by the listing licensee, another licensee in the listing firm, or by a cooperating broker.”

Standard of Practice 3-6 - REALTORS® shall disclose the existence of accepted offers, including offers with unresolved contingencies, to any broker seeking cooperation.

In an article titled “What is an accepted offer and when do I have to disclose them to cooperating brokers? Anthony’s article was later posted to the NYSAR Meeting Planner. He told the committee that the information was also supported by NAR.



New York State Association of REALTORS®, Inc.

The issue of multiple listing brokers have the same listing is one area of the state was brought to the committees attention. The individual asked if other areas were experiencing similar types of listings and if so, how was it being handled.

Another question was asked about a local board/association developing a list of members who could act as REALTOR counsel in Ethics Hearings if a party to a hearing asked about who could serve as a REALTOR counsel in an ethics hearing. It was noted that NAR's code of ethics manual did not say a board could not develop or maintain such a list.

Matt Difanis, J.D., Chair of the National Association of REALTORS 2020 Professional Standards Committee provided an in depth update on numerous "hot topics" and issues that the national committee and professional standards interpretations and procedures advisory board is considering. He noted that there may be tweaks coming to the Code and Standards of Practice dealing with Fair housing, and equal professional services.

A motion was made, seconded, and carried to ask the National Associations' Professional Standards Committee to amend Standard of Practice 1-15. The recommendation will be considered by the Professional Standards Steering Committee.

Staff reported that all live Professional Standards Procedure Trainings for 2020 have been cancelled. All of the training sessions are being held via Virtual training using the Zoom platform. The rescheduled training will be held from 9:30am-4:30pm on October 19th, November 16th, November 18th, and November 19th.

With no additional business the meeting was adjourned.